



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 16, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26 July 16, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**ADOPT, ADVERTISE, AND AWARD
BRIDGE SEISMIC RETROFIT
EAST FORK ROAD OVER NORTH FORK SAN GABRIEL RIVER
AND EAST FORK ROAD OVER EAST FORK SAN GABRIEL RIVER
IN THE ANGELES NATIONAL FOREST
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve and advertise the project to seismically strengthen the East Fork Road over North Fork San Gabriel River and East Fork Road over East Fork San Gabriel River bridges in the Angeles National Forest; find the project categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; authorize the Director of Public Works or her designee to award and execute a consultant services agreement for the preparation of a baseline construction schedule and environmental plans for a fee not to exceed \$16,500 and a construction contract with the apparent responsible contractor with the lowest responsive bid; deliver the project; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the project is categorically exempt from the California Environmental Quality Act.
2. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works to seismically strengthen two bridges in the Angeles National Forest – East Fork Road over North Fork San Gabriel River and East Fork Road over East Fork San Gabriel River, at an estimated construction contract cost between \$1,400,000

and \$1,900,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on August 20, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
4. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and environmental plans for a fee not to exceed \$16,500 funded by existing project funds.
5. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range and deliver the project.
6. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval from the Board and advertise the project, adopt the plans and specifications, authorize the Director of Public Works or her designee to award and execute a consultant services agreement to prepare a baseline construction schedule and environmental plans for a fee not to exceed \$16,500 funded by existing project funds and a construction contract with the apparent responsible contractor with the lowest responsive bid, and delegate certain responsibilities to the Director or her designee to carry out this project.

The proposed consultant services agreement to prepare a baseline construction schedule and environmental plans that conforms to the County of Los Angeles' specifications is critical to successfully manage construction activities by both the contractor and the County and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the contractor fails to complete acceptable deliverables, the Department of Public Works may return to the Board to recommend that the contractor be determined nonresponsive and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables, which conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing more reliable bridge infrastructure for the traveling public during and immediately following seismic events.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$1,400,000 to \$1,900,000. The total project cost is estimated to be \$3,280,400. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, extensive structural analysis, consultants services, survey, environmental regulatory permits, right of way and utility clearance, materials testing, inspection, contract administration, change order contingency, extensive environmental monitoring during construction, and other County services.

The project will be administered under the Highway Bridge Program covered by Agreement No. 76078 with the State of California. Under this program, Federal funds allocated to local agencies are used to finance 88.53 percent of the qualifying project cost. The remaining 11.47 percent of the qualifying project cost will be financed with State Proposition 1B funds. Financing for this project is included in the Fifth Supervisorial District's Road Construction Program in the Fiscal Year 2013-14 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A part of the project, the East Fork Road over North Fork San Gabriel River was advertised in 2009 and awarded in 2010. On February 8, 2011, the Board found the contractor in default of the contract and authorized the Director or her designee to enter into an agreement with the project surety to release the bonding company from completing the construction.

The State established a mandatory program after the October 1989 Loma Prieta Earthquake to analyze and retrofit bridges to current seismic standards. Under this program, the County was designated as the lead agency for the retrofit of non State bridges within the County including all incorporated cities except the City of Los Angeles. This project is included in this program and will be advertised in accordance with Section 20404 of the State Public Contract Code.

This project is to be completed in 140 working days. It is estimated the work will start in April 2014 and be completed in November 2014.

Delegating to the Director or her designee the authority to award, execute, and approve changes or alterations to this contract and specified administrative authority will allow an expedited contracting process to procure a contractor and facilitate construction delivery for the seismic strengthening of these existing bridges. It is critical to retrofit these East Fork Road bridges as soon as possible to enhance public safety.

Effective January 1, 2011, State law requires that projects funded with specific bond funds be subject to monitoring and oversight by the Department of Industrial Relations' Compliance Monitoring Unit (CMU). In order to comply with guidance issued by the CMU, contractors and subcontractors engaged in this contract will be required to submit electronic certified payrolls directly to the State. The CMU may invoice Public Works up to one quarter of one percent of the total project cost.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will

be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

The East Fork Road over North Fork San Gabriel River and East Fork Road over East Fork San Gabriel River project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(d) of the State CEQA guidelines and Class 1, Subsection (x)(11) of the Environmental Reporting Procedures and Guidelines previously adopted by the Board. This exemption provides for rehabilitation or minor alteration of bridges to meet current standards of public health and safety involving no expansion of use beyond that previously existing.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. The award by the Director or her designee will be made after review of the bids meeting the criteria established by the Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive bid. To be eligible for the Federal funds financing the majority of this project, Title 49, Code of Federal Regulations, requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing more reliable bridge infrastructure for the traveling public during and immediately following seismic events.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid.

GAIL FARBER
Director

GF:JTS:mt

- c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)